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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/633,972 08/04/2003		David A. Richard	42671-0800 (BM31b)	5643		
7590 06/29/2005 SNELL & WILMER L.L.P.			EXAM	EXAMINER		
			CHERRY, E	CHERRY, EUNCHA P		
Suite 1200						
1920 Main Stree	• •	ART UNIT	PAPER NUMBER			
Irvine, CA 926	014-7230	2872	2872			
			DATE MAILED: 06/29/2005	DATE MAILED: 06/29/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	on No.	Applicant(s)				
Office Action Summary		10/633,97	' 2	RICHARD, DAVID A.				
		Examiner		Art Unit				
		EUNCHA	P. CHERRY	2872				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1)⊠	Responsive to communication(s) filed on	15 April 2005.						
	This action is FINAL . 2b) This action is non-final.							
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
5)□ 6)□ 7)□	·= ···································							
Application	on Papers							
 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 								
Priority under 35 U.S.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
	e of References Cited (PTO-892)	40\	4) Interview Summary (
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Other:								

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DETAILED ACTION

It is noted that re-introduction of species I as claims 39-49 resulted in further restriction requirement.

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 23-27, drawn to a polymer optical component, classified in class 359, subclass 883.
 - II. Claims 28-38 and 50-61, drawn to a method of forming the component, classified in class 427, subclass 162.
 - II. Claims 39-49, drawn to a plastic component, classified in class 427, subclass 164.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions (I and II) and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as colloid particles that are one of a cathodic and anodic polarity while providing an abrasion resistant and water resistant coating. Invention II has separate utility such as the multi-layer surface abrasion

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resistant coating and tie-bond layer that are formed by a single wet coating. See MPEP § 806.05(d).

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When inventions I and II are elected, further restriction is applied:

- 3. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the polymer does not require the step of permitting the particles over a predetermined time period by a zeta potential.
- 4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 5. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be

examined even though the requirement be traversed (37 CFR 1.143).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DREW DUNN can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EUNCHA P. CHERRY Primary Examiner